

**BOX PCT**

Attorney Docket No. 24320

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

GARGAL et al.

International Application No. PCT/CH99/00521

Serial No. 09/831,503

International Filing Date: 05 November 1999 (05.11.99)

Filed: May 10, 2001

For: **VEHICLE ROOFLINING AND METHOD FOR PRODUCING THE SAME**

**SUBMISSION OF TRANSLATION OF INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

To supplement the documents filed with the National Phase Filing of the above captioned application on 10 May 2001, applicants hereby submit the translation of PCT/IPEA/409 International Preliminary Examination Report along with PCT/IB/338 Notification of Transmittal of Copies of Translation of the International Preliminary Examination Report. These documents were only recently received by the applicant and are currently filed herewith.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,

**NATH & ASSOCIATES PLLC**

By: \_\_\_\_\_

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Date: September 21, 2000

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## PATENT COOPERATION TREATY



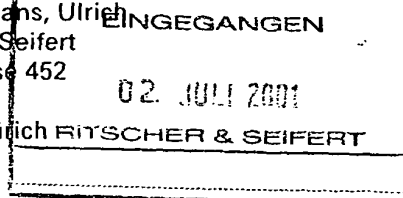
**PCT**  
**NOTIFICATION OF TRANSMITTAL**  
**OF COPIES OF TRANSLATION**  
**OF THE INTERNATIONAL PRELIMINARY**  
**EXAMINATION REPORT**

(PCT Rule 72.2)

From the INTERNATIONAL BUREAU

To:

SEIFERT, Hans, Ulrich  
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|   |   |
|---|---|
| Date of mailing (day/month/year)<br>21 June 2001 (21.06.01) | <b>IMPORTANT NOTIFICATION</b>   |
| Applicant's or agent's file reference<br>6357WO             |   |
| International application No.<br>PCT/CH99/00521             | International filing date (day/month/year)<br>05 November 1999 (05.11.99) |
| Applicant<br>RIETER AUTOMOTIVE (INTERNATIONAL) AG et al     |   |

**1. Transmittal of the translation to the applicant.**

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

**2. Transmittal of the copy of the translation to the elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

CA,JP,PL,US

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

EP,CZ

**3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

|  |  |
|--|--|
| The International Bureau of WIPO<br>34, chemin des Colombettes<br>1211 Geneva 20, Switzerland<br>Facsimile No. (41-22) 740.14.35 | Authorized officer<br>Charlotte ENGER<br>Telephone No. (41-22) 338.83.38 |
|--|--|

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

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|  |   |   |
|--|---|---|
| Applicant's or agent's file reference<br>6357WO  | <b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) |   |
| International application No.<br>PCT/CH99/00521  | International filing date (day/month/year)<br>05 November 1999 (05.11.99)   | Priority date (day/month/year)<br>11 November 1998 (11.11.98) |
| International Patent Classification (IPC) or national classification and IPC<br>B60R 13/02 |   |   |
| Applicant<br>RIETER AUTOMOTIVE (INTERNATIONAL) AG  |   |   |

|   |   |
|---|---|
| 1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36. |   |
| 2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.  |   |
| <input type="checkbox"/>  | This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). |
| These annexes consist of a total of _____ sheets.   |   |
| 3. This report contains indications relating to the following items:  |   |
| I <input checked="" type="checkbox"/>   | Basis of the report   |
| II <input type="checkbox"/>   | Priority  |
| III <input type="checkbox"/>  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| IV <input type="checkbox"/>   | Lack of unity of invention  |
| V <input checked="" type="checkbox"/>   | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement   |
| VI <input type="checkbox"/>   | Certain documents cited   |
| VII <input type="checkbox"/>  | Certain defects in the international application  |
| VIII <input type="checkbox"/>   | Certain observations on the international application   |

|  |  |
|--|--|
| Date of submission of the demand<br>22 April 2000 (22.04.00) | Date of completion of this report<br>28 June 2000 (28.06.2000) |
| Name and mailing address of the IPEA/EP                      | Authorized officer   |
| Facsimile No.  | Telephone No.  |

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/CH99/00521

## I. Basis of the report

1. This report has been drawn on the basis of (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.*):

- ☐ the international application as originally filed.
- ☒ the description, pages 1-9, as originally filed,  
 pages \_\_\_\_\_, filed with the demand,  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_,  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_.
- ☒ the claims, Nos. 1-12, as originally filed,  
 Nos. \_\_\_\_\_, as amended under Article 19,  
 Nos. \_\_\_\_\_, filed with the demand,  
 Nos. \_\_\_\_\_, filed with the letter of \_\_\_\_\_,  
 Nos. \_\_\_\_\_, filed with the letter of \_\_\_\_\_.
- ☒ the drawings, sheets/fig 1/2-2/2, as originally filed,  
 sheets/fig \_\_\_\_\_, filed with the demand,  
 sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_,  
 sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_.

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/CH 99/00521

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

|                               |        |      |     |
|-------------------------------|--------|------|-----|
| Novelty (N)                   | Claims | 1-12 | YES |
|                               | Claims |      | NO  |
| Inventive step (IS)           | Claims | 1-12 | YES |
|                               | Claims |      | NO  |
| Industrial applicability (IA) | Claims | 1-12 | YES |
|                               | Claims |      | NO  |

## 2. Citations and explanations

**Prior art:** The earlier publication EP-A-0 637 820 is considered to represent the closest prior art. This document shows a vehicle roof lining with the features mentioned in the preamble to independent Claim 1.

The subject matter of Claim 1 is distinguished from that prior art by the following features: between the reinforcing layer and the decor layer, a semi-permeable migration-resistant barrier layer is provided.

The effect of that distinguishing feature is that air can pass through the barrier layer, but neither the adhesive used, nor components of that adhesive, nor any softener, nor any age-conditioned decomposition products, nor additives from the polyurethane foam or adhesive layers can penetrate, permeate or migrate through the barrier layer.

**Novelty:** The subject matter of the present application is considered to be novel, because no prior publication contains all of the features of independent Claim 1.

**Inventive step:** The subject matter of the present application is considered to involve an inventive step,

because the cited prior art documents concerning known linings do not show the characterising features.

Dependent Claims 2-11 concern specific embodiments of the subject matter of Claim 1.

Claim 12 concerns a method for producing a lining of the type defined in Claim 1.

**Industrial applicability:** The subject matter of the present application is considered to be industrially applicable, because it can be made and used in the vehicle and transport industry.